

**Draft**  
**Environmental Assessment**

**SELWAY BRIDGE FISHING ACCESS SITE  
COOPERATIVE AGREEMENT and IMPROVEMENT  
PROJECT**



**March 2018**



***Montana Fish,  
Wildlife & Parks***

**Selway Bridge Fishing Access Site  
Cooperative Agreement and Improvement Project  
Draft Environmental Assessment  
MEPA, NEPA, MCA 23-1-110 CHECKLIST**

**PART I. PROPOSED ACTION DESCRIPTION**

**1. Type of proposed state action:**

Montana Fish, Wildlife & Parks (FWP) proposes to acquire a Recreational Use Permit from Montana Department of Transportation on .79 acres of land in Dillon, MT, to facilitate the development of a Fishing Access Site (FAS).

**2. Agency authority for the proposed action:**

The 1977 Montana Legislature enacted Section 87-1-605, Montana Code Annotated (MCA), which directs FWP to acquire, develop and operate a system of fishing accesses. The legislature earmarked a funding account to ensure that the fishing access site program would be implemented. Section 87-1-303, MCA, authorizes the collection of fees and charges for the use of fishing access sites, and contains rule-making authority for their use, occupancy, and protection. Furthermore, Section 23-1-110, MCA, and Administrative Rules of Montana (ARM) 12.2.433 guide public involvement and comment for improvements at state parks and fishing access sites, which this document provides.

ARM 12.8.602 requires the Department to consider the wishes of the public, the capacity of the site for development, environmental impacts, long-range maintenance, protection of natural features, and impacts on tourism as these elements relate to development or improvement to fishing access sites or state parks. This document will illuminate the facets of the Proposed Action in relation to this rule. See *Appendix A* for HB 495 qualification.

**3. Name of project:**

Selway Bridge Fishing Access Site Cooperative Agreement and Improvement Project

**4. Project sponsor:**

Montana Fish, Wildlife and Parks, Region 3  
1400 South 19<sup>th</sup>, Bozeman, MT 59718  
(406) 994-4042

**5. Anticipated Schedule:**

Estimated Comment Period: March 2018  
Estimated Decision Notice: April 2018  
Estimated Commencement Date: May 2018  
Estimated Completion Date: Fall 2018  
Current Status of Project Design (% complete): 50%

**6. Location:**

The Selway Bridge site is located north of Dillon, MT on the Beaverhead River, Section 7, Township 7S, Range 8W in Beaverhead County.

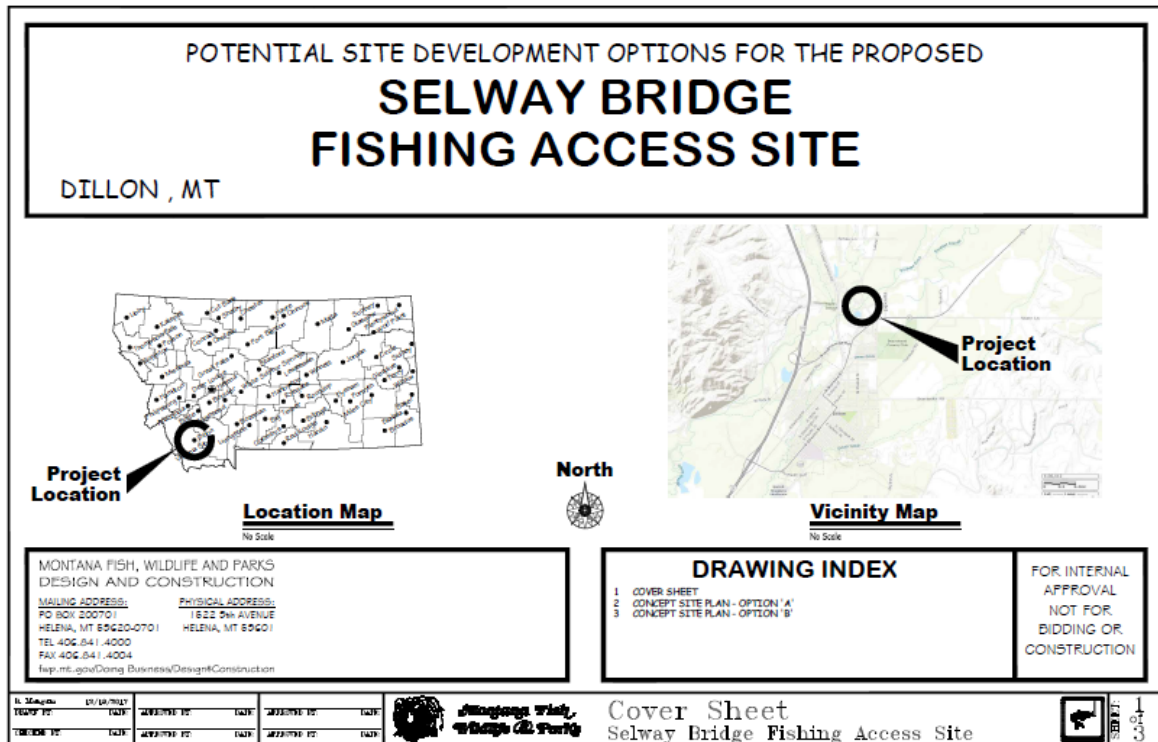


Figure 1. Vicinity Map of the proposed Selway Bridge FAS.

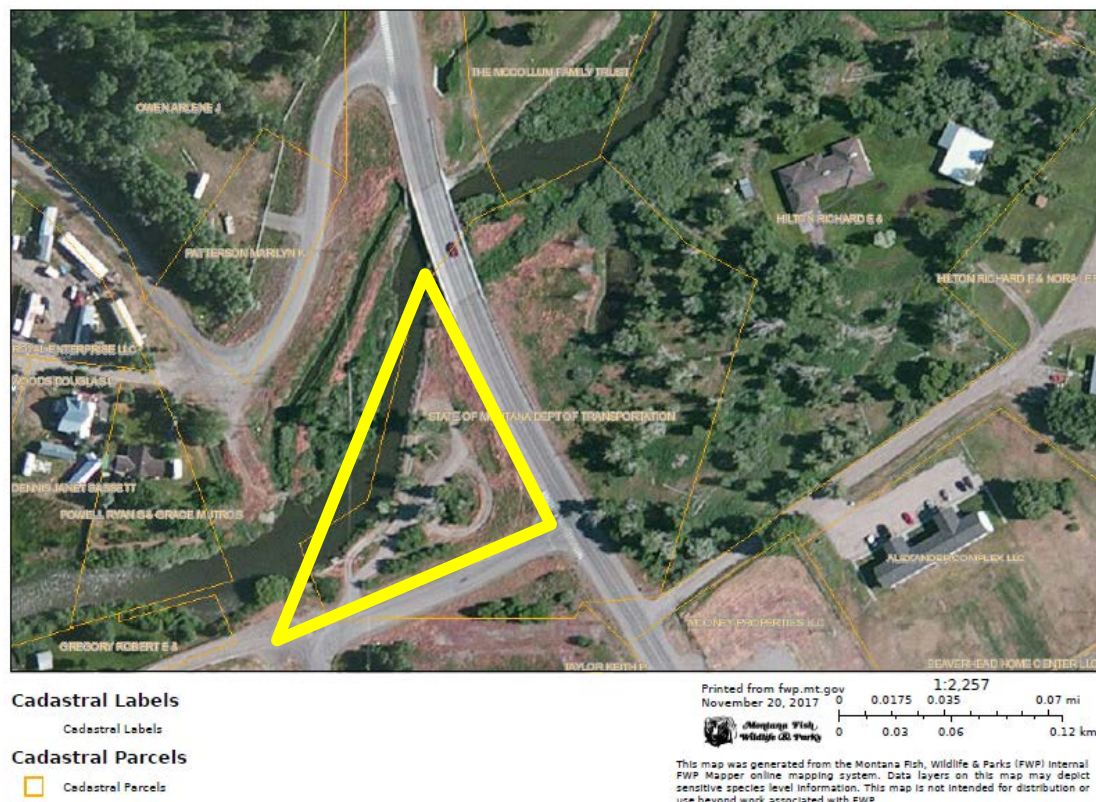


Figure 2. Aerial view of the proposed Selway Bridge FAS with proposed project area highlighted.

**7. Project size -- estimate the number of acres that would be directly affected that are currently:**

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>1</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
		Irrigated cropland	<u>0</u>
(b) Open Space/	<u>0</u>	Dry cropland	<u>0</u>
Woodlands/Recreation		Forestry	<u>0</u>
(c) Wetlands/Riparian	<u>0</u>	Rangeland	<u>0</u>
Areas		Other	<u>0</u>

**8. Local, State or Federal agencies with overlapping or additional jurisdiction:**

**(a) Permits:** Permits will be filed at least 2 weeks prior to project start.

<u>Agency Name</u>	<u>Permits</u>
Montana Fish Wildlife & Parks (FWP)	124 MT Stream Protection Act
Montana Dept. of Environmental Quality (DEQ)	318 Short Term Water Quality Standard for Turbidity
Montana Department of Transportation (MDT)	Encroachment Permit
Beaverhead County	Floodplain Permit

**(b) Funding:**

<u>Agency Name</u>	<u>Funding Amount</u>
Beaverhead Trails Coalition with grant from LOR Foundation	\$55,000
Montana FWP license dollars	\$5,000

**(c) Other Overlapping or Additional Jurisdictional Responsibilities:**

<u>Agency Name</u>	<u>Type of Responsibility</u>
Montana Department of Transportation	Recreational Use Permit
State Historic Preservation Office	Cultural Clearance ( <i>Appendix D</i> )

**9. Narrative summary of the proposed action:**

Montana FWP proposes to acquire a Recreational Use Permit from Montana Department of Transportation (MDT) for the purpose of facilitating the development of a Fishing Access Site on the Beaverhead River in Dillon, MT. The property sits on the east side of the Beaverhead River adjacent to the Selway Bridge on the north side of Dillon. MDT owns the property to the east and west of the bridge, but the recreational use permit would only apply to the smaller, already developed area to the west of the road (see Figure 2). Once FWP secures the use permit, they will develop an MOU with Beaverhead Trails Coalition (BTC) who will improve and maintain the area as a FAS/public park.

The Selway Bridge property has long been used by the public as an access point to the Beaverhead River and currently has a pioneered loop road, pull-outs, and boat launch, but the lack of formalized parking and engineered boat ramp has detracted from its recreational value and has resulted in some resource damage. Recognizing this, BTC, MDT, and FWP have partnered together to help improve the site whereby MDT would offer a Recreational Use Permit at no charge to FWP, FWP would hold the permit and improve the existing boat ramp, and BTC would provide for the other necessary site improvements such as re-grading the loop road and creating formalized parking areas as well as reclaiming pioneered areas and providing regular maintenance of the site. The funding for the proposed site upgrades are made possible by utilizing \$5,000 license fund dollars through FWP and a \$55,000 grant from the LOR Foundation for community improvement projects on bodies of water. This arrangement is the most efficient way to achieve the shared goals of protecting the resource and improving the site for the use and enjoyment of the public.

While BTC would provide day-to day maintenance of the site, the property would be managed by FWP as part of the statewide FAS system, and FWP would provide law enforcement and general oversight. Protection of natural resources, the health and safety of visitors, and consideration of neighboring properties are being considered and incorporated into improvement plans for this site. The proposed project would improve recreational opportunities for fishing, boating, floating, picnicking, and wildlife viewing along the popular Beaverhead River.

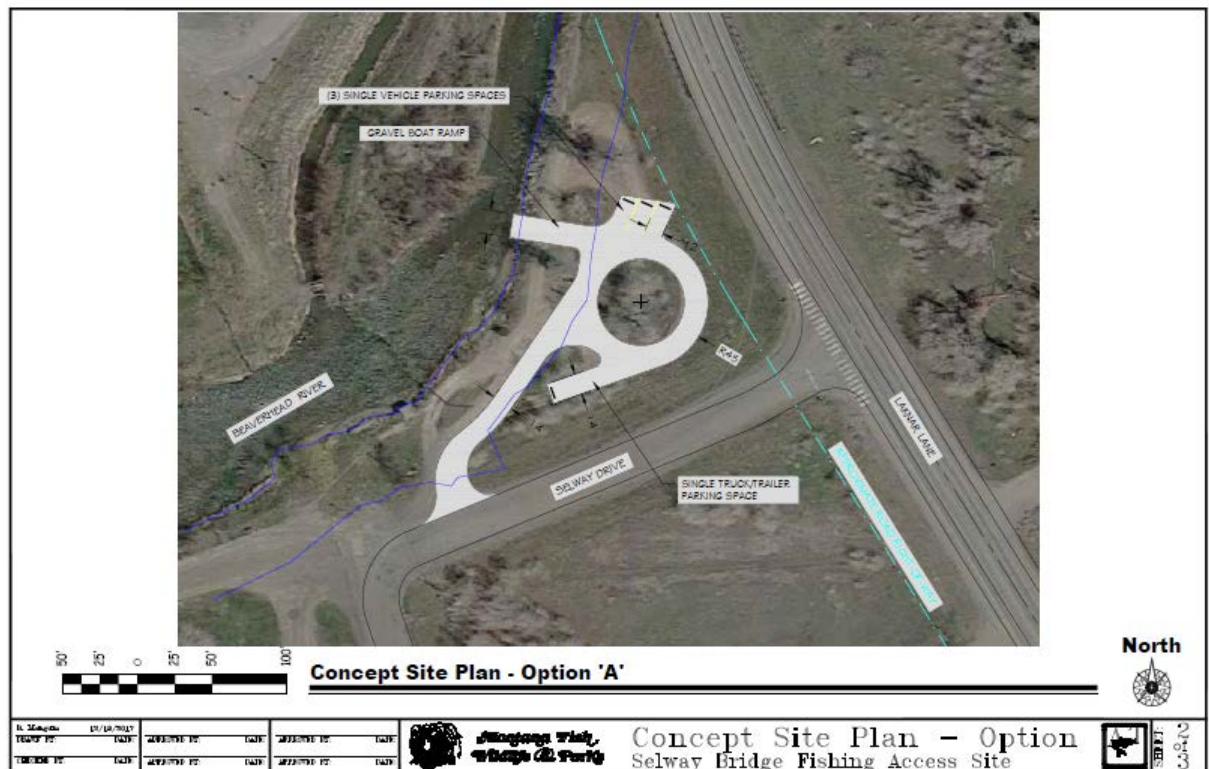


## 10. Description and analysis of reasonable alternatives:

### Alternative A:

In Alternative A, FWP would receive a Recreational Use Permit from MDT for the establishment of an FAS on the Selway Bridge MDT property described in this document and enter into a partnership with Beaverhead Trails Association to improve and maintain the site. Proposed upgrades include the improvement of the existing gravel boat ramp, re-engineered loop road and parking spaces for three single vehicles and one truck and trailer, and rehabilitation of the old pioneered areas (see Figure 3).

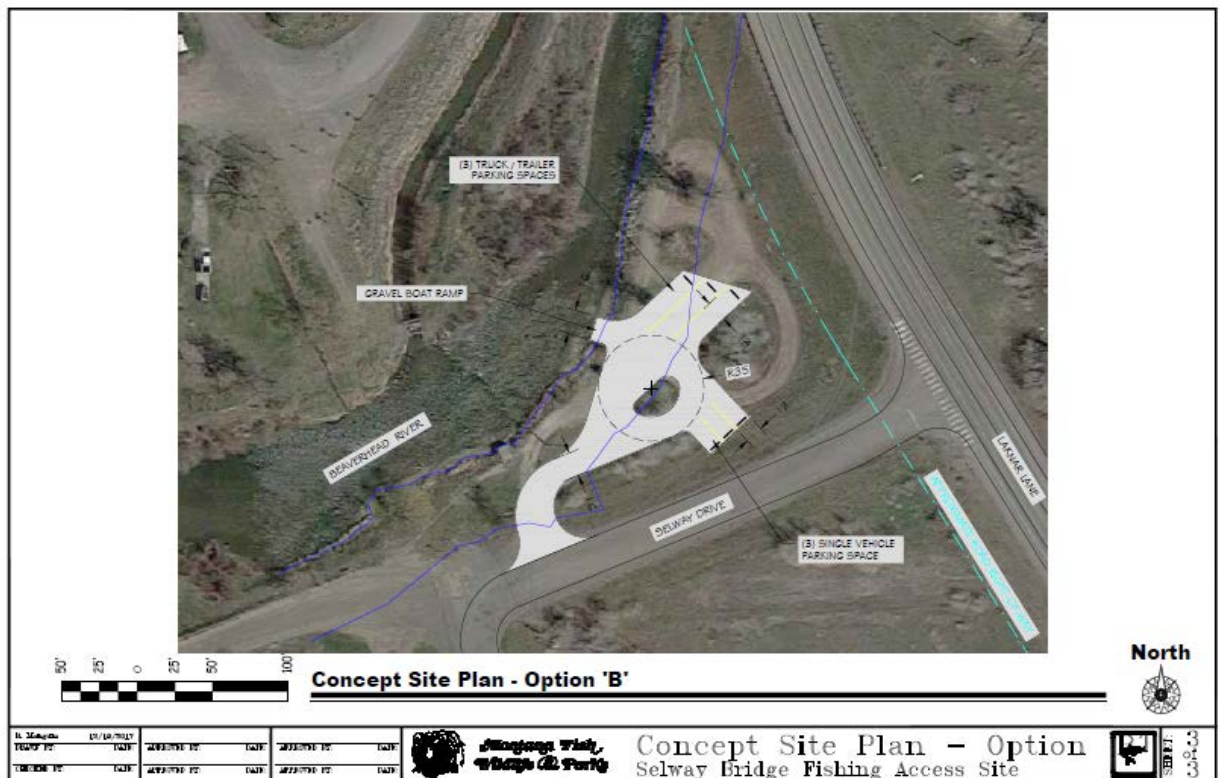
These upgrades and improvements would enhance the recreational value of the site as well as provide resource protection, especially of the riverbank, as the engineered gravel ramp would contribute less sediment to the Beaverhead River than the current pioneered one. FWP would hold the recreational use permit and provide oversight and management, but BTA would provide the day-to-day upkeep of the site. The final design might vary slightly from the drawings as FWP and BTC are committed to protecting as many mature trees as possible during construction.



### **Alternative B: Preferred Alternative**

Alternative B is identical to Alternative A except for a slightly different design for site improvements. Under this Alternative, improvements would include 3 truck and trailer parking spaces as well as 3 spaces for individual vehicles and a gravel boat ramp. This would result in a slightly larger footprint than in Alternative A but would provide for more parking. This design is also preferable because it allows for the boat ramp to remain in its current location. Due to funding limitations, FWP can only commit to re-engineering the boat ramp in its current location, not building a new one in a different spot. Keeping the ramp in its current location would also reduce disturbance.

The final design might vary slightly from the drawings as FWP and BTC are committed to protecting as many mature trees as possible during construction.



### **Alternative C: No Action Alternative**

If no action is taken, FWP would not apply for a Recreational Use Permit from MDT for the establishment of an FAS at this location or proceed with any other efforts to do so at this time. If no action is taken, MDT would likely continue to allow the public to use the site as they have in the past, but some resource damage would continue to occur from use of the pioneered boat launch, road, and parking areas. The upgrades that would occur under the proposed action would likely not move forward because FWP's role is critical not only to the immediate improvement of the site but also to the long-term management of the site as a FAS.

**11. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:**

FWP would employ Best Management Practices (BMP) which are designed to reduce sediment delivery to waterways during construction. FWP would develop the final design and specifications for the Proposed Action. All county, state, and federal permits listed in Part I 8(a) above would be obtained by FWP as required. A private contractor selected through the state's contracting processes would complete the construction.

**PART II. ENVIRONMENTAL REVIEW CHECKLIST**

**Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.**

**A. PHYSICAL ENVIRONMENT**

1. <u>LAND RESOURCES</u>  Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X		Yes	1b.
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				

- 1b. During construction, some minor modifications to the existing soil features would be required for the construction of and improvements to the access road, parking area, and boat ramp. Disturbed areas would be reseeded with a native seed mix to minimize erosion, sediment delivery to the Beaverhead River, and the spread of noxious weeds. The FAS would be managed for recreation and wildlife habitat and is not under commercial agricultural production so the Proposed Action would not affect agricultural production, soil productivity, or soil fertility. Previously disturbed areas on the site would be blocked from further vehicular access and reclaimed. FWP Best Management Practices (BMP) would be followed during all phases of construction to minimize erosion.



2. <u>AIR</u>  Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)			X		Yes	2a.
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)		X				

2a. There would be minor, short-term impacts to air quality due to dust and odors generated during construction.

3. <u>WATER</u>  Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?			X		Yes	3a
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?			X		Yes	3h.
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		NA				
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		NA				

- 3a. Construction of the boat ramp may cause a temporary, localized increase in turbidity in the Beaverhead River in the vicinity of Selway Bridge. FWP would obtain a Montana Department of Environmental Quality (DEQ) 318 Authorization Permit for Short Term Water Quality Standard for Turbidity. FWP BMP's would be followed during all phases of construction of the loop road, parking areas, and boat ramp.
- 3h. The use of heavy equipment during construction may result in a slight risk of contamination from petroleum products and a temporary increase in sediment delivery to the Beaverhead River. FWP BMP's would be followed during all phases of construction to minimize these risks.

4. <b>VEGETATION</b>	<b>IMPACT *</b>					
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>	<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X		Yes	4a
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X		Yes	4e.
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		NA				

- 4a. The Proposed Action would have no impact on the plant diversity or productivity of the Selway Bridge property and would have a minor impact on plant abundance. A small number of trees and shrubs would be removed during construction. Because the construction area is small (less than 1 acre), impacts from construction would be minor. Any area disturbed during construction would be reseeded with a native seed mix.
- 4e. Soils disturbed during construction could colonize with weeds. Disturbed areas would be reseeded with a native reclamation seed mix where necessary to reduce the establishment of weeds. FWP and BTC would work in partnership with the Beaverhead County Weed District to control weeds on the site. Both parties would adhere to the *Statewide Integrated Weed Management Plan* which prescribes using a combination of chemical, biological, and mechanical methods to control weeds on the property. Weed management would include the establishment of native vegetation to prevent the spread of weeds. Vehicles would be restricted to the parking areas and access roads, which would be maintained as weed-free, and vehicles would not be allowed on undisturbed areas of the site to minimize the spread of noxious weeds.

<b>** 5. <u>FISH/WILDLIFE</u></b>  <b>Will the proposed action result in:</b>	<b>IMPACT *</b>					
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>	<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				5b
c. Changes in the diversity or abundance of nongame species?		X				5c
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X			5g.
h. <u>For P-R/D-J</u> , will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		NA				
i. <u>For P-R/D-J</u> , will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		NA				

5b/5c. Wildlife species commonly found in the vicinity of the Selway Bridge property include common urban animals such as white-tailed deer, rabbits, squirrels, and a variety of resident and migratory bird species. A search of the MNHP Montana Species of Concern (SOC) database showed seven Montana SOC animal species within the larger project area. These were the great blue heron, bald eagle, golden eagle, ferruginous hawk, little brown myotis, hoary bat, and pygmy rabbit. None of these species has been observed using the proposed project area for breeding purposes, but it is possible that a few of the species may use the site for feeding, resting, etc. As the site is situated in an urban environment and is used on a daily basis by the public, it is unlikely that it is commonly used by any of these species and the proposed improvements are unlikely to affect any use that may be already occurring.

5g. Game fish found in this stretch of the Beaverhead River include brown trout, rainbow trout, and mountain whitefish. The designation of the property as a formal FAS might attract more out-of-town anglers to the site, but overall use of the site or overall angling pressure on this stretch of the Beaverhead is not expected to increase significantly. FWP wardens would continue to enforce all applicable fish and game regulations.

## B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Increases in existing noise levels?			X		Yes	6a
b. Exposure of people to severe or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				

- 6a. Construction equipment would cause a temporary increase in noise levels at the project site.

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?			X			7a.
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				

- 7a. The proposed designation of the Selway Bridge property as a Montana FAS could lead to an increase in use of the site by recreationists and commercial guides, which could bring additional tourism benefits to the Dillon area (see Tourism Report Appendix C).



8. <b>RISK/HEALTH HAZARDS</b>	<b>IMPACT *</b>					
	Unknown *	None	Minor*	Potentially Significant	Can Impact Be Mitigated *	Comment Index
Will the proposed action result in:						
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		Yes	8a.
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		NA				

- 8a. As with any construction project, the use of heavy equipment brings a minor risk of accidental release of hazardous substances in the form of petroleum products. FWP would ask the contractor to follow the *Best Management Practices for Fishing Access Sites* during all phases of construction to minimize risks of such contamination.

Physical disturbance of the soil during construction could encourage the establishment of additional noxious weeds on the site. In conjunction with the Beaverhead County Weed District, FWP and BTC would implement an integrated approach to control noxious weeds as outlined in the FWP *Statewide Integrated Noxious Weed Management Plan*. The integrated plan uses a combination of biological, mechanical, and herbicidal treatments to control noxious weeds. The use of herbicides would be in compliance with application guidelines to minimize the risk of chemical spills or water contamination and would be applied by people trained in safe handling techniques.

9. <b>COMMUNITY IMPACT</b>	<b>IMPACT *</b>					
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>	<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?			X			9c.
d. Changes in industrial or commercial activity?			X			9d.
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				9e.

- 9c. The Proposed Action could lead to increased recreational use of the area by providing improved parking and boating facilities. This could benefit local retail and service businesses (*Appendix C - Tourism Report*).
- 9d. The proposed improvements could increase commercial use of the FAS by fishing guides, outfitters, and tourists. This could positively affect local employment and incomes.
- 9e. FWP would provide MDT with engineering cross-sections showing approach back-slopes as well as a traffic control plan during construction.

<b>10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u></b>	<b>IMPACT *</b>					
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>	<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
<b>Will the proposed action result in:</b>						
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. Define projected revenue sources			X			10e.
f. Define projected maintenance costs.		X				10f.

10e. The proposed action may result in additional, indirect revenue generated from an increase in fishing licenses and commercial use permits because of the establishment of a formal boat ramp and the resulting increase in access. There would be no direct revenue generated from the development of Selway Bridge FAS.

10f. Day-to-day maintenance of Selway Bridge FAS would be undertaken by BTA as part of the partnership agreement.

<b>** 11. <u>AESTHETICS/RECREATION</u></b>	<b>IMPACT *</b>					
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>	<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
<b>Will the proposed action result in:</b>						
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				11b.
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)			X positive			11c.
d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		NA				

- 11a/b. The property is already used for recreational purposes so formalizing the use is unlikely to have an impact on the aesthetic character of the community or neighborhood.
- 11c. The Proposed Action could improve recreational opportunities in the area by increasing and improving parking and boating facilities. This could benefit local retail and service businesses (*Appendix C - Tourism Report*).

12. <u>CULTURAL/HISTORICAL RESOURCES</u>  Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. **Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?	X					12a.
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. <u>For P-R/D-J</u> , will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		NA				

- 12a. The State Historic Preservation Office (SHPO) will be consulted prior to any work being done on the site. No ground disturbance would occur before FWP receives clearance from SHPO. FWP would consider design changes if necessary to accommodate SHPO requirements to protect cultural or historical resources.

## SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u>  Will the proposed action, considered as a whole:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. <u>For P-R/D-J</u> , is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		NA				
g. <u>For P-R/D-J</u> , list any federal or state permits required.		NA				

## PART III. NARRATIVE EVALUATION AND COMMENT

The proposed collaborative project on the Selway Bridge MDT property would improve recreational opportunities at that location by formalizing the loop road and parking, and by installing an engineered boat ramp. Besides improving the user experience of the site, the proposed project would also reduce or eliminate the minor resource impacts currently occurring at the site as a result of the pioneered road, parking, and boat ramp. As part of the project plan, these damaged areas would be blocked from future vehicular access and rehabilitated.

The Proposed Action would have no negative cumulative effects on the biological, physical, and human environments, and would improve recreational opportunities and experiences for both local and out-of-town users.



## **PART IV. PUBLIC PARTICIPATION**

### **1. Public Involvement:**

The public will be notified in the following manners to comment on the Selway Bridge FAS Proposed Acquisition and Improvement Project, the Proposed Action and alternatives:

- Two public notices in each of these papers: the *Bozeman Chronicle*, the *Helena Independent Record*, *The Montana Standard*, and the *Dillon Tribune* (Region 3's newspaper of record, FWP's newspaper of record, and the local newspapers).
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.
- Draft EA's will be available at the Region 3 headquarters in Bozeman and the State Headquarters in Helena.
- A news release will be prepared and distributed to a standard list of media outlets interested in FWP Region 3 issues.
- Copies of this environmental assessment will be distributed to neighboring landowners and interested parties to ensure their knowledge of the Proposed Action.

This level of public notice and participation is appropriate for a project of this scope having limited impacts, many of which can be mitigated.

### **2. Duration of comment period.**

The public comment period will extend for (30) thirty days and will begin after publication of the 2<sup>nd</sup> legal notice in the newspapers above. Written comments will be accepted until 5:00 p.m., April 4, 2018 and can be e-mailed to [rheagney@mt.gov](mailto:rheagney@mt.gov) or mailed to the address below:

Ray Heagney  
Selway Bridge FAS Proposed Project  
1400 South 19<sup>th</sup> Avenue  
Bozeman MT 59718

## **PART V. EA PREPARATION**

### **1. Based on the significance criteria evaluated in this EA, is an EIS required?**

#### **NO**

Based on an evaluation of impacts to the physical and human environment under MEPA, this environmental review revealed no significant negative impacts from the proposed action: therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis. In determining the significance of the impacts, Fish, Wildlife & Parks assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur, or reasonable assurance that the impact would not occur. FWP assessed the growth-inducing or growth-inhibiting aspects of the impact, the importance to the state and to society of the environmental resource or value affected; any precedent that would be set as a result of an impact of the proposed action that would commit FWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

### **2. Persons responsible for preparing the EA:**

Allan Kuser

Linnaea Schroeer

FAS Coordinator  
1420 E 6<sup>th</sup> Ave  
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akuser@mt.gov  
406-444-7885

FWP MEPA Coordinator  
1420 E 6<sup>th</sup> Ave  
Helena, MT 59601  
lschroeer@mt.gov  
(406) 444-3378

**3. List of agencies consulted during preparation of the EA:**

Montana Department of Commerce – Tourism

Montana Fish, Wildlife & Parks

Design and Construction

Lands Unit

Responsive Management Unit

Fisheries Division

Wildlife Division

Montana Natural Heritage Program – Natural Resources Information System (NRIS)

Montana Historic Preservation Office

**APPENDICES**

- A. MCA 23-1-110 Qualification Checklist
- B. Native Species Report - Montana Natural Heritage Program
- C. Tourism Report – Department of Commerce
- D. State Historic Preservation Office – Clearance Letter (pending)

## APPENDIX A

### 23-1-110 MCA PROJECT QUALIFICATION CHECKLIST

**Date:** February 8, 2018

**Person Reviewing:** Linnaea Schroeer

**Project Location:** The Selway Bridge property is located in the town of Dillon, MT, on the Beaverhead River, S7, T7S, R8W.

**Description of Proposed Work:** Montana Fish, Wildlife & Parks (FWP) proposes entering into a partnership with Montana Dept of Transportation (MDT) and Beaverhead Trails Coalition (BTC) whereby FWP would obtain a recreational use permit from MDT for the operation of a Fishing Access Site (FAS) on the Beaverhead River north of Dillon, MT. As part of the project, FWP would install an engineered gravel boat ramp to replace the pioneered one currently in use on the site and oversee the improvement and of the current interior loop road and parking areas. Reclamation of the old roadbed and parking areas would be part of the project as well.

The following checklist is intended to be a guide for determining whether a proposed action or improvement is of enough significance to fall under 23-1-110 rules. (Please check all that apply and comment as necessary.)

- ☐ **A. New roadway or trail built over undisturbed land?**  
Comments: There is already a pioneered loop road through the property.
- ☐ **B. New building construction (buildings <100 sf and vault latrines exempt)?**  
Comments: No building construction.
- ☒ **C. Any excavation of 20 c.y. or greater?**  
Comments: Yes, improvements to the loop road and parking areas would likely require excavation in excess of 20c.y. However, previously disturbed ground elsewhere on the site would be reclaimed.
- ☐ **D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?**  
Comment: The new parking areas would be built over previously disturbed ground.
- ☐ **E. Any new shoreline alteration that exceeds a doublewide boat ramp or handicapped fishing station?**  
Comments: No.
- ☒ **F. Any new construction into lakes, reservoirs, or streams?**  
Comments: A single-wide gravel boat ramp would be constructed on the Beaverhead River.
- ☐ **G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?**  
Comments: A cultural resource inventory will be conducted and SHPO concurrence will be sought.
- ☐ **H. Any new above ground utility lines?**  
Comments: No new utility lines.
- ☐ **I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?**  
Comments: No.
- ☐ **J. Proposed project significantly changes the existing features or use pattern, including effects of a series of individual projects?**  
Comments: No. The proposed project would not affect existing features or use patterns.

## APPENDIX B

### NATIVE SPECIES REPORT – MONTANA NATURAL HERITAGE PROGRAM Sensitive Plants and Animals in the Vicinity of Selway Bridge Fishing Access Site

#### Species of Concern Terms and Definitions

A search of the Montana Natural Heritage Program (MNHP) element occurrence database (<http://nris.mt.gov>) indicates seven Montana Species of Concern (SOC) occur in the greater Selway Bridge area. These are great blue heron, bald eagle, golden eagle, ferruginous hawk, little brown myotis, hoary bat, and pygmy rabbit. More information on these species is included below.

**Montana Species of Concern.** The term “**Species of Concern**” includes taxa that are at-risk or potentially at-risk due to rarity, restricted distribution, habitat loss, and/or other factors. The term also encompasses species that have a special designation by organizations or land management agencies in Montana including: Bureau of Land Management Special Status and Watch species; U.S. Forest Service Sensitive and Watch species; U.S. Fish and Wildlife Service Threatened, Endangered and Candidate species.

#### Status Ranks (Global and State)

The international network of Natural Heritage Programs employs a standardized ranking system to denote global (**G** -- range-wide) and state status (**S**) (Nature Serve 2003). Species are assigned numeric ranks ranging from 1 (critically imperiled) to 5 (demonstrably secure), reflecting the relative degree to which they are “at-risk”. Rank definitions are given below. A number of factors are considered in assigning ranks -- the number, size and distribution of known “occurrences” or populations, population trends (if known), habitat sensitivity, and threat. Factors in a species’ life history that make it especially vulnerable are also considered (e.g., dependence on a specific pollinator).

#### U.S. Fish and Wildlife Service (Endangered Species Act)- Terms and Definitions

**LE. Listed endangered:** Any species in danger of extinction throughout all or a significant portion of its range.

**LT. Listed threatened:** Any species likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

**C. Candidate:** Those taxa for which sufficient information on biological status and threats exists to propose to list them as threatened or endangered.

**DM. Recovered, delisted, and being monitored** - Any previously listed species that is now recovered, has been delisted, and is being monitored.

**BGEPA. The Bald and Golden Eagle Protection Act of 1940 (BGEPA)** prohibits anyone, without a permit issued by the Secretary of the Interior, from taking bald or golden eagles, including their parts, nests, or eggs. The BGEPA provides criminal and civil penalties for persons who take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof.

**MBTA. The Migratory Bird Treaty Act (MBTA)** implements four treaties that provide for international protection of migratory birds. The statute’s language is clear that actions

resulting in a "taking" or possession (permanent or temporary) of a protected species is a violation of the MBTA.

**BCC. Birds of Conservation Concern 2008.** The 1988 amendment to the Fish and Wildlife Conservation Act mandates the U.S. Fish and Wildlife Service to identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act

Status Ranks	
Code	Definition
<b>G1</b> <b>S1</b>	At high risk because of extremely limited and/or rapidly declining numbers, range, and/or habitat, making it highly vulnerable to global extinction or extirpation in the state.
<b>G2</b> <b>S2</b>	At risk because of very limited and/or declining numbers, range, and/or habitat, making it vulnerable to global extinction or extirpation in the state.
<b>G3</b> <b>S3</b>	Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.
<b>G4</b> <b>S4</b>	Uncommon but not rare (although it may be rare in parts of its range), and usually widespread. Apparently not vulnerable in most of its range, but possibly cause for long-term concern.
<b>G5</b> <b>S5</b>	Common, widespread, and abundant (although it may be rare in parts of its range). Not vulnerable in most of its range.

**MFWP Conservation Need.** Under Montana's Comprehensive Fish and Wildlife Conservation Strategy (CFWCS) of 2005, individual animal species are assigned levels of conservation need as follows:

- Tier I.** Greatest conservation need. Montana FWP has a clear obligation to use its resources to implement conservation actions that provide direct benefit to these species, communities and focus areas.
- Tier II.** Moderate conservation need. Montana FWP could use its resources to implement conservation actions that provide direct benefit to these species communities and focus areas.
- Tier III.** Lower conservation need. Although important to Montana's wildlife diversity, these species, communities and focus areas are either abundant or widespread or are believed to have adequate conservation already in place.
- Tier IV.** Species that are non-native, incidental or on the periphery of their range and are either expanding or very common in adjacent states.



## SENSITIVE PLANTS AND ANIMALS IN THE VICINITY OF SELWAY BRIDGE FISHING ACCESS SITE

### 1. *Ardea Herodias* (Great Blue Heron)

Vertebrate animal- Bird

Habitat- Riparian Forests

Natural Heritage Ranks

State: **S3**

Global: **G5**

FWP CFWCS Tier: 3

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service:

U.S. Bureau of Land Management:

### 2. *Haliaeetus leucocephalus* (Bald Eagle)

Vertebrate animal- Bird

Habitat- Riparian forest

Natural Heritage Ranks

State: **S4**

Global: **G5**

Federal Agency Status:

U.S. Fish and Wildlife Service: **DM: BGEPA; MBTA; BCC**

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Sensitive**

### 3. *Aquila chrysaetos* (Golden Eagle)

Vertebrate animal- Bird

Habitat- Grasslands

Natural Heritage Ranks

State: **S3**

Global: **G5**

Federal Agency Status:

U.S. Fish and Wildlife Service: **BGEPA; MBTA; BCC**

U.S. Forest Service:

U.S. Bureau of Land Management: **Sensitive**

### 4. *Buteo regalis* (Ferruginous Hawk)

Vertebrate animal- Bird

Habitat- Shrub grasslands

Natural Heritage Ranks

State: **S3**

Global: **G4**

Federal Agency Status:

U.S. Fish and Wildlife Service: **MBTA; BCC10, BCC17**

U.S. Forest Service:

U.S. Bureau of Land Management: **Sensitive**

### 5. *Myotis lucifugus* (Little brown myotis)

Vertebrate animal- Mammal

Habitat- Varied

Natural Heritage Ranks

State: **S3**

Global: **G3**

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service:

U.S. Bureau of Land Management:

6. ***Lasiurus cinereus* (Hoary bat)**

Vertebrate animal- Mammal

Habitat- Aspen forest and woodlands

Natural Heritage Ranks

State: **S3**

Global: **G5**

Federal Agency Status:

U.S. Fish and Wildlife Service: **MBTA**

U.S. Forest Service:

U.S. Bureau of Land Management:

7. ***Brachylagus idahoensis* (Pygmy rabbit)**

Vertebrate animal- Mammal

Habitat- Shrub grasslands

Natural Heritage Ranks

State: **S3**

Global: **G4**

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Sensitive**

## Appendix C

# TOURISM REPORT

## MONTANA ENVIRONMENTAL POLICY ACT (MEPA) & MCA 23-1-110

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by MCA 23-1-110 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Jan Stoddard  
Montana Office of Tourism  
301 S. Park Ave.  
Helena, MT 59601

**Project Name:** Selway Bridge FAS Acquisition and Improvement Project

**Project Description:** Montana Fish, Wildlife & Parks (FWP) proposes to acquire a Recreational Use Permit from Montana Department of Transportation on .79 acres of land in Dillon, MT, to facilitate the development of a Fishing Access Site (FAS) on the Beaverhead River. The FAS would offer a gravel boat ramp and up to six (6) parking spaces for vehicles. The FAS would be day-use only.

1. Would this site development project have an impact on the tourism economy?  
NO YES If YES, briefly describe:

Yes, as described, this project has the potential to positively impact the tourism and recreation industry economy. We are assuming the agency has determined it has necessary funding for the on-going operations and maintenance once this project is completed.

The opportunity to fish Montana waters and native Montana fish populations is marketed to destination visitors from around the world, as well as in-state travelers. Additionally, Montana's Marketing campaigns are specifically targeting destination family travel emphasizing outdoor activities. This includes emphasizing recreational opportunities (floating, fishing, camping, hiking, and sightseeing) in accessible locations. The fishing access to the Beaverhead River is an essential asset for developing Montana's outdoor recreation industry.

1. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?  
NO YES If YES, briefly describe:

Yes, as described, the project has the potential to improve quality and quantity of

tourism and recreational opportunities with the addition of a gravel boat ramp and parking spaces. We are assuming the agency has determined it has necessary funding for the on-going operations and maintenance once this project is complete.

Signature Jan Stoddard

Date: 2/8/18

2/93  
7/98sed